

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

## **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-10, 12-14 and 26 are pending in this application. Claims 15-25 and 27-31, which were withdrawn from consideration, are hereby canceled without prejudice or disclaimer of subject matter. Claim 11 is hereby canceled without prejudice or disclaimer of subject matter. Claims 1, 7, 8, 10 and 26 are independent. Claims 4, 5, 6, 9 and 10 are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

## **II. REJECTIONS UNDER 35 U.S.C. §102(e)**

Claims 1-14 and 26 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,119,133 to Nusbickel et al.

Independent claim 1 recites, *inter alia*:

“...recording means for recording a unique identifier to each of a plurality of storage media issued;

...service offering means for offering a service to the storage medium identified by the checked identifier depending on a result of the check by said checking means.” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,119,133 to Nusbickel et al. relates to an information processing system with a database for storing database records. Each of the database records has a unique identifier. A method for locating data files comprises: retrieving one of said database records; determining said unique identifier for one of said database records; and retrieving any additional data using said data file name. (see Abstract)

It is respectfully submitted that the cited portions of U.S. Patent No. 6,119,133 to Nusbickel et al. (hereinafter, merely “Nusbickel”), as applied by the Examiner, do not teach or suggest the above-identified features of claim 1. Specifically, Nusbickel fails to teach or suggest service offering means for offering a service to the storage medium identified by the checked identifier depending on a result of the check by said checking means, as recited in independent claim 1.

Furthermore, Applicants submit that Nusbickel uses the term “identifier” to denote a part of a data file name. (“[W]herein part of each data file name is composed of one of said unique identifiers...”) (see Nusbickel Abstract, emphasis added.) Applicants submit the “identifier” disclosed in Nusbickel is different from recording a unique identifier to each of a plurality of storage media issued, recited in claim 1. Applicants submit that the identifier disclosed in Nusbickel is used to retrieve a filename corresponding to the identifier and show these files to a user. Thus, Applicants submit that the identifier in Nusbickel does not identify a storage medium and is not checked against other identifiers, as recited in claim 1.

For the above-stated reasons, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 7 and 8 are similar in scope to claim 1 and are believed patentable for similar reasons.

Independent claim 10, as amended, recites, *inter alia*:

“...receiving means for receiving identifiers from a storage medium issuing party issuing a plurality of storage media identified by said identifiers which differ from one another;

...checking means for checking the identifier transmitted from a terminal device by way of a service provider against said identifiers stored in said storing means.” (emphasis added)

Applicants submit that Nusbickel does not teach or suggest the above-identified features of claim 10. Specifically, Nusbickel fails to teach or suggest checking the identifier transmitted from a terminal device by way of a service provider against said identifiers stored in said storing means, as recited in independent claim 10.

Furthermore, Applicants submit that the statements regarding the term “identifier” made in relation to claim 1, also apply to claim 10.

Therefore, Applicants respectfully submit that independent claim 10 is patentable.

Independent claim 26 recites, *inter alia*:

“...recording a unique identifier to each of a plurality of storage media issued;

...checking the identifier read from the storage medium against said identifiers stored in said database; and

offering a service to the storage medium identified by the checked identifier.” (emphasis added)

Applicants submit that Nusbickel does not teach or suggest the above-identified features of new independent claim 26. Specifically, Nusbickel fails to teach or suggest checking the identifier read from the storage medium against said identifiers stored in said database; and offering a service to the storage medium identified by the checked identifier, as recited in independent claim 26.

Furthermore, Applicants submit that the statements regarding the term "identifier" made in relation to claim 1, also apply to claim 26.

Therefore, Applicants respectfully submit that independent claim 26 is patentable.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### CONCLUSION

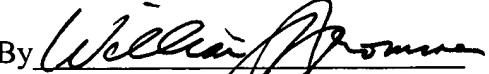
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosures in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
William S. Frommer  
Reg. No. 25,506  
(212) 588-0800